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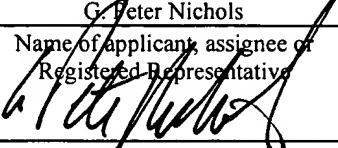
SEP 02 2004

Commissioner for Patents
P.O. Box 1450 – Mail Stop AF
Alexandria, VA 22313
on August 30, 2004

Date of Deposit

G. Peter Nichols

Name of applicant, assignee or
Registered Representative



Signature

August 30, 2004

Date of Signature

Case No. 659/1682 (15,442)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Topolkaraev et al.)
Serial No.: 09/840,754) Examiner: Ferguson
Filing Date: April 23, 2001) Group Art Unit No.: 1774
For BIODEGRADABLE FILMS)
HAVING ENHANCED DUCTILITY)
AND BREATHABILITY)

**NOTICE OF APPEAL FROM THE EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Commissioner for Patents
P.O. Box 1450 – Mail Stop AF
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Appeals from the decision dated July 28, 2004 of the Examiner finally rejecting Claims 1-5, 16, 20-21, 23-27 and 29.

The item(s) checked below are appropriate:

1. An extension of time to respond to the final rejection was granted on _____ for _____ month(s).

2. A timely response to the final rejection has been filed, as provided in 841 O.G. 1411.
3. Fee \$330.00 Other than a Small Entity
 Enclosed
 Not required (Fee paid in prior appeal)
 Charge to Deposit Account No. 23-1925 (One additional copy of this Notice enclosed herewith)
 The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this communication or credit any overpayment to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.
4. I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. 23-1925. A duplicate copy of this sheet is enclosed.

Respectfully submitted,



G. Peter Nichols
Registration No. 34,401
Attorney for Applicants

Dated: August 30, 2004

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